

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

BETTY M. TATE, Individually and as)	
Executrix of the Estate of Ben J. Tate, Sr.,))	
Deceased,)	
)	LEAD CASE: TATE
Plaintiff,)	
)	
v)	Civil No. 4:88CV206
)	
ACcandS Inc. <i>et al</i>)	
)	
)	
Defendants.)	
)	
)	
_____)	

ORDER

THIS MATTER is before the Court upon motion by Plaintiff, Betty M. Tate, Individually and as Executrix of the Estate of Ben J. Tate, Sr., deceased, and Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, to dismiss with prejudice, all claims against CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation in this matter.

It appearing that grounds exist to permit Plaintiffs to voluntarily dismiss this action against CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation with prejudice and that the motion should be granted for good cause shown;

It is therefore ORDERED, ADJUDGED, and DECREED that the action of Plaintiff, Betty M. Tate, Individually and as Executrix of the Estate of Ben J. Tate, Sr.,

deceased, against Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, be dismissed with prejudice.

Signed: December 15, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

